Filing Date: December 30, 2003

Title: METHOD AND SYSTEM TO ADJUST A SELLER FIXED PRICE OFFER

## IN THE CLAIMS

Please amend the claims as follows:

- 1.-14. (Cancelled)
- 15. (Currently Amended) A network-based commerce system including:

  a processor coupled to a memory through a bus; and

  an auction price-setting process executed from the memory by the processor to cause the

  processor to adjust a reserve price associated with a listing of an item during a network-based

  auction price-setting process and to cause the processor to automatically notify one or more

  bidders of the adjustment of the reserve price.
- 16. (Original) The network-based commerce system of claim 15, wherein the adjustment of the reserve price includes lowering the reserve price.
- 17. (Original) The network-based commerce system of claim 15, wherein the adjustment of the reserve price includes removing the reserve price.
- 18. (Original) The network-based commerce system of claim 15, wherein the adjustment of the reserve price includes raising the reserve price.
- 19. (Original) The network-based commerce system of claim 15, wherein the auction price-setting process further causes the processor to automatically notify a seller of the item when a high proxy bid is within a predetermined percentage range of the adjusted reserve price.
- 20. (Original) The network-based commerce system of claim 15, wherein the auction pricesetting process further causes the processor to automatically notify a seller of the item when a high proxy bid is within a predetermined value range of the reserve price.

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(Original) The network-based commerce system of claim 15, wherein the auction price-21. setting process further causes the processor to lower a proxy bid, of a buyer higher than the adjusted reserve price, to a predetermined amount below the adjusted reserve price.

## 22.-50. (Cancelled)

(Currently Amended) A machine-readable medium having instructions to cause a 51. machine to perform a method to facilitate operation of a network-based commerce system, the method including:

adjusting a predefined reserve price associated with a listing of an item during a networkbased auction price-setting process; and

notifying automatically one or more bidders of the adjustment of the reserve price.

- (Original) The machine-readable medium of claim 51, wherein adjusting the reserve price 52. includes lowering the reserve price.
- (Original) The machine-readable medium of claim 51, wherein the adjusting the reserve 53. price includes removing the reserve price.
- (Original) The machine-readable medium of claim 51, wherein the adjusting the reserve 54. price includes raising the reserve price.
- (Original) The machine-readable medium of claim 51, including automatically notifying 55. a seller of the item when a high proxy bid is within a predetermined percentage range of the adjusted reserve price.
- (Original) The machine-readable medium of claim 51, including automatically notifying 56. a seller of the item when a high proxy bid is within a predetermined value range of the reserve price.

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57. (Original) The machine-readable medium of claim 51, including lowering a proxy bid, of a buyer higher than the adjusted reserve price, to a predetermined amount below the adjusted reserve price.

58.-86. (Cancelled)

87. (Currently Amended) A method to facilitate operation of a network-based commerce system, the method including:

adjusting a predefined reserve price associated with a listing of an item during a network-based auction price-setting process; and

notifying automatically one or more bidders of the adjustment of the reserve price.

- 88. (Original) The method of claim 87, wherein adjusting the reserve price includes lowering the reserve price.
- 89. (Original) The method of claim 87, wherein the adjusting the reserve price includes removing the reserve price.
- 90. (Original) The method of claim 87, wherein the adjusting the reserve price includes raising the reserve price.
- 91. (Original) The method of claim 87, including automatically notifying a seller of the item when a high proxy bid is within a predetermined percentage range of the adjusted reserve price.
- 92. (Original) The method of claim 87, including automatically notifying a seller of the item when a high proxy bid is within a predetermined value range of the reserve price.
- 93. (Original) The method of claim 87, including lowering a proxy bid, of a buyer higher than the adjusted reserve price, to a predetermined amount below the adjusted reserve price.

## AMENDMENT AND RESPONSE UNDER 37 CFR § 1.111

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94.-115. (Cancelled)

116. (Currently Amended) A network-based commerce system including:

a means for adjusting a predefined reserve price associated with a listing of an item during a network-based auction price-setting process and for notifying automatically one or more bidders of the adjustment of the reserve price; and

a storage means, coupled to the means for adjusting, for storing the reserve price.

- 117. (Original) The network-based commerce system of claim 116, wherein adjusting the reserve price includes lowering the reserve price.
- 118. (Original) The network-based commerce system of claim 116, wherein the adjusting the reserve price includes removing the reserve price.
- 119. (Original) The network-based commerce system of claim 116, wherein the adjusting the reserve price includes raising the reserve price.

120.-131. (Cancelled)